

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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**Cynthia Lutz,**

**Civil No. 06-4876 (JMR/JJG)**

Plaintiff,

v.

**ORDER**

**Michael J. Astrue,**

Defendant.

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This matter is before the undersigned upon the report and recommendation of the United States Magistrate Judge. No objections have been filed to that report and recommendation in the time period permitted. Based on the report and recommendation of the Magistrate Judge, and being duly advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Lutz' motion for summary judgment (Doc. No. 11) is **DENIED**.
2. The Commissioner's motion for summary judgment (Doc.No.18) is **GRANTED**.
3. This matter is dismissed in its entirety.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated this 21<sup>st</sup> day of July, 2008.

s/James M. Rosenbaum  
JAMES M. ROSENBAUM  
United States District Judge